

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#: \_\_\_\_\_  
DATE FILED: 6/25/2020

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA, :

- v - :

\$815,199.74 FORMERLY ON DEPOSIT : STIPULATION AND ORDER

IN ACCOUNTS 7296905115 AND

1620774362, EACH HELD AT WELLS : 20 Misc. 240

FARGO BANK, N.A.,

- - - - - X

:

WATSON TITLE,

First Interested Party. :

- - - - - X

:

STEWART TITLE GUARANTY COMPANY,

Second Interested Party. :

- - - - - X

WHEREAS, on or about September 9, 2019, the Federal Bureau of Investigation ("FBI"), seized approximately \$815,199.74 (the "Seized Currency") from bank accounts ending in number -5115 and -4362, each held at Wells Fargo, N.A (the "Subject Accounts"), pursuant to a Seizure Warrant authorized by the Honorable Sarah Netburn, United States Magistrate Judge for the Southern District of New York;

WHEREAS, the Seized Currency is forfeitable to the United States as property involved in money laundering and the

operation of an unlicensed money transmitting business, in violation of Title 18, United States Code, Sections 1956 and 1960, respectively;

WHEREAS, the Government has determined that as a result of the money laundering and unlicensed money transmittal offenses, Watson Title (the "First Interested Party") transferred at least \$66,003.79 to the Subject Accounts;

WHEREAS, the Government has accordingly determined that Watson Title is the innocent owner of \$66,003.79 of the Seized Currency;

WHEREAS, the Government has determined that as a result of the money laundering and unlicensed money transmittal offenses, Stewart Title Guaranty Company (the "Second Interested Party") transferred at least \$749,195.95 to the Subject Accounts;

WHEREAS, the Government has accordingly determined that Stewart Title Guaranty Company is the innocent owner of \$749,195.95 of the Seized Currency;

WHEREAS, Gaudy Hernandez ("Hernandez"), the owner of record of the Subject Accounts, disclaims any ownership interest in the Seized Currency and relinquishes all claim to the Seized Currency;

NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED, by and between Geoffrey S. Berman, United States

Attorney for the Southern District of New York, by and through Assistant United States Attorney Andrew C. Adams, and the First Interested Party, Watson Title, by and through its attorney, Dennis Guidi, Esq.; the Second Interested Party, Stewart Title Guaranty Company, by and through its attorney, Betsy Ann Rosenbloom, Esq.; and Gaudy Hernandez, that:

1. Gaudy Hernandez the owner of record of the Subject Accounts, having disclaimed and/or relinquished any ownership interest in the Seized Currency, accordingly has no interest in the Seized Currency.

2. The Government shall transfer \$66,003.79, representing a portion of the Seized Currency, to Watson Title, the First Interested Party, to an account designated by and through its attorney, Dennis Guidi, Esq.

3. The Government shall transfer \$749,195.95, representing a portion of the Seized Currency, to Stewart Title Guaranty Company, the Second Interested Party, to an account designated by and through its attorney, Betsy Ann Rosenbloom, Esq.

4. Watson Title and Stewart Title Guaranty Company (together, the "Interested Parties") and Gaudy Hernandez are hereby barred from asserting, or assisting others in asserting, any claim, including third party claims and any claim for attorney's fees and costs, against the United States or any of

its agents and employees, including the Federal Bureau of Investigation ("FBI"), and this Office (the "USAO-SDNY"), as well as any and all employees, officers, and agents of the United States, FBI, and the USAO-SDNY in connection with, or arising out of, the United States' seizure, restraint, custody or control over the Seized Currency. The Interested Parties and Gaudy Hernandez agree to execute any documentation to implement the terms of this Stipulation and Order.

5. The Interested Parties and Gaudy Hernandez hereby agree to waive all rights to appeal or otherwise challenge or contest the validity of this Stipulation and Order.

6. Each party shall bear its own costs and fees, including attorney's fees.

7. The Court will have exclusive jurisdiction over the interpretation and enforcement of this Stipulation and Order.

8. This Stipulation and Order constitutes the complete agreement between the Government, the Interested Parties and Gaudy Hernandez (the "Parties") and may not be amended except by written consent of the Parties.

[CONTINUED ON NEXT PAGE]

9. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

Agreed and consented to:

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York  
Attorney for the United States

By:

ANDREW C. ADAMS  
Assistant United States Attorney  
One St. Andrew=s Plaza  
New York, New York 10007  
T: (212)637-2340

June 24, 2020

DATE \_\_\_\_\_

WATSON TITLE, the First Interested Party

WATSON TITLE

DATE \_\_\_\_\_

By:

DENNIS GUIDI, ESQ.

DATE \_\_\_\_\_

STEWART GUARANTY TITLE COMPANY, the Second Interested Party

STEWART GUARANTY TITLE COMPANY

DATE \_\_\_\_\_


By:

BETSY ANN ROSENBLOOM, ESQ.

DATE \_\_\_\_\_

[SIGNATURES CONTINUED ON NEXT PAGE]

GAUDY HERNANDEZ

  
\_\_\_\_\_  
GAUDY HERNANDEZ

  
\_\_\_\_\_  
DATE

SO ORDERED:

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE, Part I

\_\_\_\_\_  
DATE

9. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

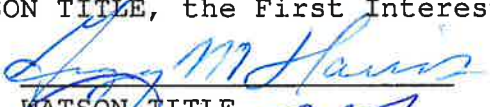
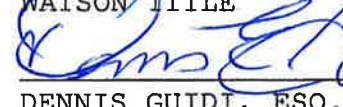
Agreed and consented to:

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York  
Attorney for the United States

By: \_\_\_\_\_  
ANDREW C. ADAMS  
Assistant United States Attorney  
One St. Andrew=s Plaza  
New York, New York 10007  
T: (212) 637-2340

\_\_\_\_\_  
DATE

WATSON TITLE, the First Interested Party

  
\_\_\_\_\_  
WATSON TITLE  
  
By: \_\_\_\_\_  
DENNIS GUIDI, ESQ.

06/19/2020

\_\_\_\_\_  
DATE

6-22-20  
\_\_\_\_\_  
DATE

STEWART GUARANTY TITLE COMPANY, the Second Interested Party

\_\_\_\_\_  
STEWART GUARANTY TITLE COMPANY  
By: \_\_\_\_\_  
BETSY ANN ROSENBLOOM, ESQ.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
DATE

[SIGNATURES CONTINUED ON NEXT PAGE]

GAUDY HERNANDEZ

  
GAUDY HERNANDEZ

  
DATE

SO ORDERED:

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE, Part I

\_\_\_\_\_  
DATE



9. The signature pages of this stipulation may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

Agreed and consented to:

GEOFFREY S. BERMAN  
United States Attorney for the  
Southern District of New York  
Attorney for the United States

By: \_\_\_\_\_  
ANDREW C. ADAMS  
Assistant United States Attorney  
One St. Andrew=s Plaza  
New York, New York 10007  
T: (212) 637-2340

\_\_\_\_\_  
DATE

WATSON TITLE, the First Interested Party

\_\_\_\_\_  
WATSON TITLE

\_\_\_\_\_  
DATE

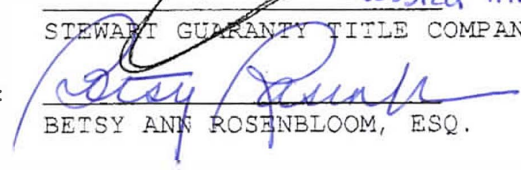
By: \_\_\_\_\_  
DENNIS GUIDI, ESQ.

\_\_\_\_\_  
DATE

STEWART GUARANTY TITLE COMPANY, the Second Interested Party

  
\_\_\_\_\_  
STEWART GUARANTY TITLE COMPANY

*Jessica Thurbee, Esq.* 6/23/2020  
\_\_\_\_\_  
DATE

By:   
\_\_\_\_\_  
BETSY ANN ROSENBLOOM, ESQ.

6/24/2020  
\_\_\_\_\_  
DATE

[SIGNATURES CONTINUED ON NEXT PAGE]

SO ORDERED:

  
\_\_\_\_\_  
HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE

Dated: June 25, 2020